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Paper 12
Date: February 12, 2024

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG BIOEPIS CO. LTD,
Petitioner,

v.

ALEXION PHARMACEUTICALS, INC.,
Patent Owner.

Cases IPR2023-00933; IPR2023-00998; IPR2023-00999;
IPR2023-01069; and IPR2023-1070

Patents 9,732,149 B2; 9,718,880 B2; 9,725,504 B2;
10,590,189 B2; and 10,703,809 B1[1]

Before TINA E. HULSE, ROBERT A. POLLOCK, and RYAN H. FLAX,
Administrative Patent Judges.

FLAX, *Administrative Patent Judge*.

FIRST MODIFIED SCHEDULING ORDER
37 C.F.R. § 42.5(c)

[1] We use this caption for efficiency. The parties are not authorized to use such a caption.

I. INTRODUCTION

Alexion Pharmaceuticals, Inc. ("Patent Owner") is the owner of U.S. Patents 9,732,149 B2; 9,718,880 B2; 9,725,504 B2; 10,590,189 B2; and 10,703,809 B1. Samsung Bioepis Co., Ltd. ("Petitioner") filed a respective Petition for *inter partes* review in each of the above-captioned proceedings, challenging the patentability of claims of these patents. In each proceeding, trial was instituted.

On February 6, 2024, counsel for Petitioner emailed the Board indicating that the parties had conferred and come to an agreement on, and jointly request that the Board enter, a modified schedule spanning and synchronizing all of the above-captioned proceedings, one which maintains the originally set final hearing date of IPR2023-00993 and IPR2023-01070. *See* Ex. 3004 of IPR2023-00993 (similar Board exhibits are entered in each proceeding). There being agreement between the parties and an apparent need to modify the respective schedules, we find good cause exists to grant the parties' request.

This Order modifies the existing scheduling orders in the above-captioned proceedings, and sets due dates for the parties to act after institution in each of the above-captioned proceedings. Modified due dates are shown underlined in the following Appendix.

It is hereby

ORDERED that the schedule of the proceeding is modified as shown in the Appendix to this Order.

DUE DATE APPENDIX

DUE DATE 1 ..... March 13, 2024

Patent Owner's response to the petition

Patent Owner's motion to amend the patent

DUE DATE 2 ..... June 5, 2024

Petitioner's reply to Patent Owner's response to petition

Petitioner's opposition to motion to amend

DUE DATE 3 ..... July 17, 2024

Patent Owner's sur-reply to reply

Patent Owner's reply to opposition to motion to amend
(or Patent Owner's revised motion to amend)[2]

DUE DATE 4 ..... August 7, 2024

Request for oral argument (may not be extended by stipulation)

DUE DATE 5 ..... August 28, 2024

Petitioner's sur-reply to reply to opposition to motion to amend

Motion to exclude evidence

DUE DATE 6 ..... September 3, 2024

Opposition to motion to exclude

Request for prehearing conference

DUE DATE 7 ..... September 10, 2024

Reply to opposition to motion to exclude

DUE DATE 8 ..... September 12, 2024

Oral argument (if requested)

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[2] *See* similar footnote and Section III(C) of the original scheduling order.

IPR2023-00933; IPR2023-00998; IPR2023-00999;
IPR2023-01069; IPR2023-1070

Patents 9,732,149 B2; 9,718,880 B2; 9,725,504 B2;
10,590,189 B2; 10,703,809 B1

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